

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:92-CR-09-1F

UNITED STATES OF AMERICA            )  
  )  
                  v.                            )  
  )  
ADOLFO VALDEZ,                         )  
                                  Defendant.    )

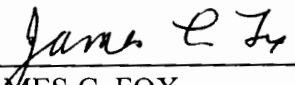
ORDER

This matter is before the court on the Defendant's two letter motions [DE-22, -23]. The first letter is a "motion to proceed in forma pauperis on appeal." Valdez has appealed this court's order denying relief under 18 U.S.C. § 3582(c) to the United States Court of Appeals for the Fourth Circuit. If Valdez wants to proceed in forma pauperis in that court, he must file his request with the Fourth Circuit. This court cannot allow Valdez to proceed in forma pauperis in the Fourth Circuit. Thus, his first letter motion [DE-22] is DENIED without prejudice to file in the appropriate court.

Valdez's second letter requests a copy of his sentencing transcript at no cost to him. It is well-settled that a Defendant may not obtain a free copy of his transcript in these circumstances absent a showing of a "particularized need." *United States v. MacCollom*, 426 U.S. 317, 323-30 (1976). Valdez states only that his sentencing transcript will be helpful while drafting his brief to the Court of Appeals. That is not a "particularized need" and his motion [DE-23] is therefore DENIED.

SO ORDERED.

This the 20<sup>th</sup> day of March 2014.

  
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JAMES C. FOX  
Senior United States District Judge